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sbhattacharya@kenyon.com

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner: George R. KOCH	Sumit Bhattacharya
COMPANY:	DATE:
USPTO	March 15, 2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(571) 273-8300	4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	12553/108
RE:	YOUR REFERENCE NUMBER:
Application No.: 10/817,568	Group Art Unit: 1734

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ CONFIRMATION
☐ ORIGINAL WILL FOLLOW ☒ ORIGINAL WILL NOT FOLLOW

Notes/Comments: **NOTICE OF APPEAL**

1. Fax Cover Sheet (1)
 2. Fee Transmittal (and one copy) (2)
 3. Notice of Appeal (1)
- Total: (4) pages

Certificate of Facsimile Transmittal

I hereby certify that the above referenced correspondence is being transmitted via facsimile under 37 C.F.R. §1.11 to Examiner: George R. KOCH at facsimile number: (571) 273-8300 at the United States Patent and Trademark Office.

Dated: March 15, 2006

A handwritten signature in cursive script that reads 'Barbara Vance'.
Signature: _____
Barbara Vance

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 500.00

Complete if Known

Application Number	10/817,568
Filing Date	April 1, 2004
First Named Inventor	Ming Gao YAO
Examiner Name	George R. KOCH
Art Unit	1734
Attorney Docket No.	12553/108

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METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																	
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<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 11-0600 Deposit Account Name: Kenyon & Kenyon LLP				<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td>1051</td><td>120</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td></td><td></td><td>1052</td><td>50</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td></td><td></td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td></td><td></td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td></td><td></td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1251</td><td>120</td><td>Extension for reply within first month</td><td></td></tr> <tr><td></td><td></td><td>1252</td><td>450</td><td>Extension for reply within second month</td><td></td></tr> <tr><td></td><td></td><td>1253</td><td>1,020</td><td>Extension for reply within third month</td><td></td></tr> <tr><td></td><td></td><td>1254</td><td>1,590</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td></td><td></td><td>1255</td><td>2,160</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td></td><td></td><td>1401</td><td>500</td><td>Notice of Appeal</td><td>500.00</td></tr> <tr><td></td><td></td><td>1402</td><td>500</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td></td><td></td><td>1403</td><td>1,000</td><td>Request for oral hearing</td><td></td></tr> <tr><td></td><td></td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td></td><td></td><td>1452</td><td>500</td><td>Petition to revive - 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late filing fee or oath				1052	50	Surcharge - late provisional filing fee or cover sheet				1053	130	Non-English specification				1812	2,520	For filing a request for ex parte reexamination				1804	920*	Requesting publication of SIR prior to Examiner action				1805	1,840*	Requesting publication of SIR after Examiner action				1251	120	Extension for reply within first month				1252	450	Extension for reply within second month				1253	1,020	Extension for reply within third month				1254	1,590	Extension for reply within fourth month				1255	2,160	Extension for reply within fifth month				1401	500	Notice of Appeal	500.00			1402	500	Filing a brief in support of an appeal				1403	1,000	Request for oral hearing				1451	1,510	Petition to institute a public use proceeding				1452	500	Petition to revive - unavoidable				1453	1,500	Petition to revive - unintentional				1501	1,400	Utility issue fee (or reissue)				1502	480	Design issue fee				1503	550	Plant issue fee				1460	130	Petitions to the Commissioner				1807	50	Processing fee under 37 CFR 1.17 (q)				1806	180	Submission of Information Disclosure Stmt				8021	40	Recording each patent assignment per property (times number of properties)				1809	780	Filing a submission after final rejection (37 CFR § 1.129(a))				1810	790	For each additional invention to be examined (37 CFR § 1.129(b))				1801	790	Request for Continued Examination (RCE)				1802	900	Request for expedited examination of a design application	
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**or number previously paid, if greater, For Reissues, see above				SUBTOTAL (3) (\$) 500.00																																																																																																																																																																																	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Sumit Bhattacharya	Registration No. (Attorney/Agent)	51,469
Signature	<i>Sumit Bhattacharya</i>	Telephone	(408) 975-7500
		Date	March 15, 2006

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Patent

Attorney Docket No.: 12553/108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Ming Gao YAO
SERIAL NO. : 10/817,568
FILED : April 1, 2004
FOR : TREATMENT SYSTEM AND METHOD FOR A HEAD
GIMBAL ASSEMBLY STATIC ALTITUDE CONTROL
GROUP ART UNIT : 1734
EXAMINER : George R. KOCH

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Alexandria, VA 22313-1450

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Dated: March 15, 2006	Signature: <u>Barbara Vance</u> Barbara Vance

NOTICE OF APPEAL

Dear Sir:

Rejected claims 1-7 and 12-19, in the decision of the Examiner dated December 15, 2005, are hereby appealed to the Board of Patent Appeals and Interferences. Please charge payment of the appeal fee of \$500.00 to Deposit Account No. 11-0600.

The Commissioner is hereby authorized to charge payment of any additional fees and/or patent application processing fees required under 37 C.F.R. §1.16 and §1.17 or credit any overpayment to Deposit Account No. 11-0600.

03/16/2006 HTECKLU1 00000093 110600 10817568

01 FC:1401 500.00 DA

Dated: March 15, 2006

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Respectfully submitted,

KENYON & KENYON LLP

By: Sumit Bhattacharya
Sumit Bhattacharya
(Reg. No. 51,469)